

01
02
03
04
05
06
07
08 UNITED STATES DISTRICT COURT
09 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 UNITED STATES OF AMERICA,) Case No.: CR04-0193-JLR-JPD
11 Plaintiff,)
12 v.) SUMMARY REPORT OF U.S.
13 DAVID MOSES,) MAGISTRATE JUDGE AS TO
14 Defendant.) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE
15 _____)
16

An initial probation revocation hearing on supervised release violations was scheduled before the undersigned Magistrate Judge on January 3, 2007. The United States was represented by Assistant United States Attorney Sarah Vogel, and the defendant by Ms. Michele Shaw. The proceedings were recorded on cassette tape.

The defendant had been sentenced on or about October 1, 2004 on a charge of conspiracy to distribute cocaine. The defendant was sentenced to eighteen months in custody followed by three years of supervised release.

On December 13, 2006, a summons was issued to defendant for violation of his conditions of supervision. In the Petition for Warrant, U.S. Probation Officer Michael S. Larsen asserted the following violations by defendant:

(1) Committing the crime of driving under the influence of alcohol, on or about December 2, 2006, in violation of the standard condition that he not violate any federal, state, or local laws.

At his initial hearing, the defendant was advised of his rights, and advised as to the violation alleged in the Petition. The defendant admitted to committing violation No. 1, and waived his right to an evidentiary hearing as to whether it occurred.

I therefore recommend that the Court find the defendant violated his supervised release as alleged in violation No. 1, and that a hearing limited to disposition be set for this violation. A disposition hearing has been scheduled before the Honorable James L. Robart for January 16, 2007 at 10:30 a.m.

Pending a final determination by the Court, the defendant has been released, subject to continued supervision.

DATED this 3rd day of January, 2007.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge

cc: District Judge: The Hon. James L. Robart
AUSA: Ms. Sarah Vogel
Defendant's attorney: Ms. Michele Shaw
Probation officer: Mr. Michael S. Larsen